

**Remarks**

The restriction/election of species requirement mailed December 6, 2005, has been reviewed and carefully considered. New claims 30-57 have been added.

Applicants hereby elect Group I (claims 25 and 26) in response to the restriction requirement. The Office action states on page 2 that "[t]he product claim will be examined along with the elected invention." Thus, it is applicants' understanding that product claims 1-24, 28 and 29 (as well as newly-added product claims 40-46) will be examined in the next action along with elected method of use claims 25 and 26 (as well as newly-added method of use claims 30-39 and 47-57).

Applicants note that the Office action on page 2 states that "the product is not allowable." However, the Office has not provided any statutory basis, evidence or reasoning supporting this statement. Hence, applicants disagree with the statement that "the product is not allowable." Moreover, the allowability of the product claims is not relevant to an initial restriction requirement determination and thus applicants dispute the propriety of even making such a statement in the restriction requirement.


In response to the election of species requirement, applicants elect the species illustrated by formula VIII. Claims 1-57 read on the elected species.

Applicants look forward to receiving an action on the merits. Should there be any questions regarding this application, Examiner Kwon is invited to contact the undersigned attorney at the telephone number shown below.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
Wayne W. Rupert  
Registration No. 34,420

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 228-9446